

HARYANA STATE LOTTERIES,
CHANDIGARH

The 14th August, 1978

No. DOL/HR/78/8586.—The Governor of Haryana is pleased to make the following Rules for the conduct of 130th Draw to 132nd Draw of Haryana State Lotteries, namely:—

1. These Rules may be called the Rules for the Conduct of 130th Draw to 132nd Draw of Haryana State Lotteries.

2. There shall be only one Final Draw of Haryana State Lotteries to be held on Tuesday, the 12th September, 1978, Friday, the 22nd September, 1978, and Tuesday, the 3rd October, 1978, with the following prizes:—

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| 1st prize | (1) Rs. 1,00,000 in cash (Common to all series) |
| 2nd prize | (1) Rs. 10,000 in cash (Common to all series) |
| 3rd prize | (5) Rs. 1,000 each (One prize from each series) |
| 4th prize | (10) Rs. 500 each (Two prizes from each series) |
| 5th prize | (2,000) Rs. 20 each (Only 5 numbers of 3 digits to be drawn from the 1st block of 1,000 tickets in each series which will be applicable to the subsequent such blocks in each respective series) |

3. The Draw will be held in the presence of judges.

J. K. DUGGAL, I.A.S.,

Director of Lotteries and
Joint Secretary to Government, Haryana,
Finance Department, Chandigarh.

WELFARE OF SCHEDULED CASTES AND BACKWARD CLASSES DEPARTMENT

The 9th August, 1978

No. 7/8/78-SW(4).—In partial modification of Haryana Government notification No. 3391-SW4-77/220, dated 18th August, 1977, the Governor of Haryana is pleased to appoint Shri Ishwar Singh, M.L.A., as a member of "The Cell at State Level" vice Shri Sher Singh, M.L.A., who has since been appointed as Excise and Taxation Minister, Haryana.

G. V. GUPTA, Secy.

LABOUR DEPARTMENT

The 16th August, 1978.

No. 11(112)-3Lab-78/7462.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s. Faridabad Complex, Faridabad.

BEFORE SHRI NATHU RAM SHARMA,
PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA,
FARIDABAD

Reference No. 143 of 1976.

between

SHRI SHISH RAM, WORKMAN AND
THE MANAGEMENT OF M/S
FARIDABAD COMPLEX
FARIDABAD.

Present:

Shri Bhim Singh Yadav, for the
workman.

Shri Lakhan Pal, Advocate for the
management.

AWARD

ISSUE NO. 1

By order No. ID/FD/852-D-76/25657, dated 29th July, 1976, the Governor of Haryana, referred the following dispute between the management of M/s Faridabad Complex, Faridabad and its workman Shri Shish Ram, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) sub-section (1) of section 10 of the Industrial Dispute Act, 1947.

Whether the termination of services of Shri Shish Ram was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, the following issues were framed on 9th December, 1976.

- (1) Whether the termination of services of Shri Shish Ram was justified and in order ? If not, to what relief is he entitled ?
- (2) Whether the statement of claim suffers from want of particulars ? If so, what is its effect ?
- (3) Whether the termination of services of the workman concerned can not be called in question because of the provisions of Faridabad Complex (Regulation and Development) Act ?

The case was fixed for the evidence of the management. The management examined Sarvshri Y. K. Sharma, their Public Relations Officer and Sat-Narain Samasthem, their Establishment Officer and closed their case.

Then the case was fixed for the evidence of the workman. The workman examined himself and closed his case. Arguments were heard. I give my findings issue wise.

M.W. 1 held enquiry into the charges levelled against the workman,—vide charge sheet Ex. M-1. He proved enquiry proceedings and his findings. He stated that the workman had confessed his guilt. M.W. 2 stated that the workman was found absent while the motor was working and Shri S. P. Wedi reported this matter to the Administrator. The workman was suspended. He was also charge sheeted. Enquiry was held and he was found guilty. He was then reverted to his original post but prior to reversion he was given show cause notice as per rules. The workman did not join his duty on his original post after reversion. The reversion order had been served upon the workman. Both the witnesses proved several documents, Ex. M-1 to Ex. M-30. The workman stated that after enquiry he was reverted but the enquiry was not proper and he was not given full opportunity. The management ordered him to join the duty of Malicum-Chowkidar, his original post, he did not join. He further stated that the place of duty was not told to him, although he enquired several times, he produced some letters.

As regards charges he stated that he was not absent but was taking his meals just near the place of his duty. He admitted his signatures at several places. In cross-examination, he admitted that the Assistant Engineer had reached the place of his duty at 12.30 P.M. and Tube well was working at that time. This Engineer remained there for 5 minutes and he reported that the workman was not present, although he was present. He further admitted that the Engineer had stopped the working of the motor, while he was having bread in his hand. He further admitted that no driver or assistant driver could go out of the Boundary leaving the motor working. He further admitted that he had no feeling or enmity against Shri Wedi the Assistant Engineer nor Shri Wedi had any thing like that. He further admitted that the enquiry officer had no dispute with him at that time. He further admitted that whenever a person is transferred to any other place, he goes to the Establishment

Officer for asking the place of work and for getting himself marked present and the Establishment Officer allots the office of work and tells the workmen to go to that particular place of work. He stated that he had gone to the establishment officer who had told him to go to the stores but did not tell him the particular store where he had to go. It is proved that the workman did not join his duty and did not go to the place of his duty after his reversion to his original place. The findings of the enquiry officer is also not vitiated. The workman was found having his meals while the motor was working. It was a grave irregularity which could result in damage to the motor, as the workman who was to attend was not attending. Again the workman himself has admitted that he did not go to the place of his duty and the establishment officer has told him to go to the store. It is a lame excuse on the part of the workman that the establishment officer did not tell him the specific store where he had to join his duty. I, therefore, decide issue No. 1 in favour of the management.

ISSUE NO. 2

I have seen the statement of claim filed by the workman concerned. I do not find any fault in it. Hence I decide issue No. 2 in favour of the workman.

ISSUE NO. 3.

Nothing has been addressed or adduced in evidence on this issue. I, therefore, decide this issue against the management.

As a result of my discussions on the issues, I answer the reference and give my award that the termination of services of the workman concerned was justified and in order. He is not entitled to any relief.

Dated the 26th July, 1978.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endorsement No. 674, dated the 26th July, 1978.

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 26th July, 1978.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-3 Lab-78/7463.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s. The Gurgaon Central Co-operative Bank Ltd., Gurgaon.

BEFORE SHRI NATHU RAM SHARMA,
PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD.

Reference No. 150 of 1976.

between

SHRI RAJBIR SINGH, WORKMAN
AND THE MANAGEMENT OF M/S THE
GURGAON CENTRAL CO-OPERATIVE
BANK LIMITED, GURGAON.

Present: Shri S. K. Goswami, for the workman.

Shri S. L. Gupta, for the management.

AWARD

By order No. ID/GGN/100-B-76/26521, dated 4th August, 1976, the Governor of Haryana, referred the following dispute between the management of M/s The Gurgaon Central Co-operative Bank Limited, Gurgaon and its workman Shri

Rajbir Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Rajbir Singh was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, the following issues were framed on 29th November, 1976:—

- (1) Whether the termination of services of Shri Rajbir Singh was justified and in order? If not, to what relief is he entitled?
- (2) Whether the dispute in question was directly raised with the management?
- (3) If issue No. 2 is not proved, in favour of the workman, what is its effect?
- (4) Whether the present dispute is not an industrial dispute by reason of that the management is a Cooperative Society?

The case was fixed for the evidence of the workman. The workman examined himself as W.W. 1, who stated that he raised the demand and proved Ex. W-1, W-2 and W-3 and closed his case on the preliminary issues.

Then the case was fixed for the evidence of the management. The management examined Sarvshi Dhan Singh, Establishment Officer, Ram Kumar, General Manager, Raj Pal Singh, Manager, Bholu Ram Sharma, Head Office Manager and closed their case.

Then the case was fixed for the evidence of the workman in rebuttal. The workman examined Shri B. R. Sharma, Manager and himself and closed his case.

I now give my finding issuewise. I think it proper to decide issue No. 2, which has been treated preliminary.

Issue No. 2.

The workman examined himself who stated that he raised the demand,—vide the original of Ex. W-1. He also proved demand notice, postal receipt A.D. as Ex. W-2 and W-3. There is no rebuttal of this issue in the evidence of the management. I, therefore, decide this issue in favour of the workman.

Issue No. 3.

Issue No. 2 has been proved in favour of the workman, hence this issue has become redundant and there is no adverse effect on the reference.

Issue No. 4.

No evidence has been led by the parties on this issue nor arguments have been addressed on this issue. I, therefore, decide this issue against the management.

Issue No. 1.

The management have led evidence before me. The Registrar of Cooperative Societies, Haryana had ordered investigation in the matter of irregularities and case of embezzlement in respect of Khoh Societies and a report was made thereon and,—vide that report charges were proved against the workman concerned in that investigation-cum-enquiry. The workman was charge-sheeted. He replied. An Agenda was placed before the Administrator and the resolution was passed. The above has been stated by M.W. 1 Shri Dhan Singh, the Establishment Officer. M.W. 2 Shri Ram Kumar General Manager stated that he held the enquiry against the workman concerned. He stated that he had held the enquiry. He was Inspector Flying Squad of his department. During that enquiry Shri Harsukh had made a complaint and the same was marked to me for holding enquiry. He found accounts of two persons were not regular, correct and proper. Some persons had complained that their accounts were not correct. Their accounts were explained to them and they

were satisfied. One Shri Balbir Singh complained that the workman concerned had received a sum of Rs. 800 from him and a receipt for Rs. 800 was with him but the workman concerned deposited Rs. 695 only including Rs. 70 against interest and Rs. 625 as principal. The entry appeared at page No. 54 of the cash book. In this way a sum of Rs. 105 was embezzled by the workman. Shri Tula Ram had also complained to him that the workman had embezzled a sum of Rs. 45 only by receiving a sum of Rs. 1645 from him and depositing Rs. 1,600 only. This witness verified the receipts and the deposit of amount. The receipts were given by the workman concerned. He found the charges of embezzlement were correct. M.W. 3 has also corroborated the statement of M.W. 2. Similarly M.W. 4 the head office Manager of the Bank corroborated the statement of M.W. 2 and M.W. 3 and proved several documents.

Then the case was fixed for the evidence of the workman, after the evidence of the management was closed. W.W. 1 stated that the appointing authority of the workman concerned was the Board of Directors of the Bank. He stated that the Bank did not hold domestic enquiry against him. He had received a charge-sheet and he had replied that. Then the workman examined himself as W.W. 2. He stated that his services were terminated by the Manager of the Bank without holding any domestic enquiry against him. He stated that Ex. M-4, his reply to the charge sheet was obtained by him under coercion and threat and the same was not in his hand writing but was signed by him. He was given no show-cause notice before terminating his services. The workman closed his case.

Arguments were heard. I have gone through the entire evidence of the parties oral as well as documentary. Ex. M-1 is a letter from the Registrar to the Assistant Registrar by which the report of the Flying Squad was sent for necessary action. Ex. M-2 is a report of the enquiry by which the workman was found guilty. Ex. M-4 is a reply to show-cause notice.

In this reply the workman stated that he had received Rs. 795 from Balbir Singh but had given a duplicate receipt of Rs. 800 and admitted that receipt in his hand-writing. It was not in his memory whether he had received Rs. 795 or Rs. 800 from Balbir Singh. He admitted in it that he had received Rs. 1,645 from Tula Ram but had kept Rs. 45 with him for purchasing petrol for car and thereafter he forgot and when he remembered that, he returned Rs. 45 to Shri Tula Ram but did not obtain receipt from him. Ex. M-5 is a resolution by which the workman was found guilty on the basis of self confession and his services were terminated. I have also seen a passbook and the receipt Ex. M-6. It is strange that the workman returned Rs. 45 to Shri Tula Ram and did not obtain a receipt. He was a public servant dealing with cash. The management did not find satisfactory the explanation of the workman concerned and terminated his services. The charges had been proved. I also do not find any satisfactory explanation from the workman giving receipts for higher amount and depositing less amount. There are signatures of the workman concerned on the entries in the passbook and the receipts are in his hand. The workman in cross-examination stated that he signed Ex. M-4, his explanation under duress. It is unbelievable. The termination of services of the workman is not unjustified. The representative for the workman argued that the termination was not by the appointing authority. The powers of the Board of Directors vested in the Administrator by operation of law. The Administrator had all the powers which the Board of Directors had hence the termination of services of the workman concerned is not by incompetent authority. The Manager had simply conveyed the said resolution of the Administrator terminating the services to the workman. I, therefore, decide this issue in favour of the management.

As a result of my finding on issues, I answer the reference and give my award that the termination of services of

Shri Rajbir Singh, the workman concerned, was justified and in order. He is not entitled to any relief. Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 24th July, 1978

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated the 24th July, 1978

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endorsement No. 677, dated the 26th July, 1978.

Forwarded (four copies) to the Secretary to Government Haryana,

G. V. GUPTA, Secy.

PUBLIC WORKS DEPARTMENT

BUILDINGS AND ROADS BRANCH

Karnal Circle

The 9th August, 1978

No. 580-R.—Whereas it appears to the Governor of Haryana that land is likely to be needed to be taken by the Government, at public expenses, for public purposes, namely, for the construction of Mandi-Gawalra road in Karnal District.

This notification is made under the provision of section IV of the Land Acquisition Act, 1894, or all to whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality may within thirty days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, P.W.D., B. & R. Branch, Ambala Cantt.

SPECIFICATIONS

| District | Tehsil | Village | Area in acres | Boundary |
|----------|---------|---------|---------------|---|
| Karnal | Panipat | Mandi | 10.94 | 198 —, 202, 203, 377 112 — 21, 22 |
| Do | Do | Gawalra | 7.01 | 137 —, 126, 138 48 — 25 — 1 |

No. 581/R.—Whereas it appears to the Governor of Haryana that land is likely to be needed to be taken by the Government, at public expenses, for a public purpose, namely, for the construction of cons-
Gnola Kalan to Mirzapur in Karnal District.

This notification is made under the provision of section IV of the Land Acquisition Act, 1894 for all to whom it may concern,

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the Acquisition of any land in the locality may within thirty days of the publication of this notification file an objection in writing before the Land Acquisition Collector, P.W.D., B. & R. Branch, Ambala Cantt.

SPECIFICATIONS

| District | Tehsil | Village | Area in Acres | Boundary |
|----------|---------|-------------|---------------|---|
| Karnal | Panipat | Goela Kalan | 5.76 | 12, 13, 14 25, 21/1, 21/2, 22/1, 22/2, 1 15 |
| | | | | 4, $\frac{5}{1}$, $\frac{5}{2}$, 7, $\frac{8}{1}$, $\frac{8}{2}$, 9, 11, 12, 13, 20 |
| | | | | 16 16, $\frac{16}{2}$, 17, 20, 21, $\frac{22}{1}$, $\frac{22}{2}$, 23, 24, 25 17, 24 16/1, 24, 3/1, 3/2, 8, 9/1, 12/1, 12/2 24 12/3, 10/1 59, 64, 66, 263, 264, 268/2, 270, 271, 272, 273, 274, 275, 276, 277, 278, 500, 501, 502, 503, 516, 517, 523, 524 |
| Do | Do | Mirzapur | 41, 299 | |

No. 582/R.—Whereas it appears to the Governor of Haryana that land is likely to be needed to be taken by the Government at public expenses for a public purposes, namely, for the Construction of Constg. Bandh to Mandi road in Karnal District,

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894, for all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of land in the locality may within 30 days of the publication of this notification file an objection in writing before the Land Acquisition Collector, Haryana P.W.D., B. & R. Branch, Ambala Cantt.

SPECIFICATIONS

| District | Tehsil | Village | Area in acres | Boundary |
|----------|---------|---------|---------------|---------------|
| Karnal | Panipat | Mandi | 13.96 | 22 201, 26 |